

RESOLUTION NO. 2006-235

RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF ROCKLIN APPROVING A THIRD AMENDMENT TO
THE MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF ROCKLIN AND THE
ROCKLIN POLICE OFFICERS' ASSOCIATION
(Originally Approved by Resolution No. 2002-223/June 25, 2002,
As Amended by Resolution No. 2004-40/February 24, 2004 and
As Amended by Resolution No. 2006-41/January 24, 2006)

The City Council of the City of Rocklin does resolve as follows:

Section 1. The City of Rocklin and the Rocklin Police Officers' Association entered into a Memorandum of Understanding (the "MOU") regarding terms and conditions of employment on June 25, 2002 approved by City Council Resolution No. 2002-223, as amended by Resolution No. 2004-40, on February 24, 2004, and as further amended by Resolution No. 2006-41, on January 24, 2006.

Section 2. A Third Amendment to the MOU in the form attached hereto as Exhibit A and by this reference incorporated herein, is hereby approved and the City Manager is hereby authorized to execute the amendment on behalf of the City of Rocklin.

PASSED AND ADOPTED this 11th day of July, 2006, by the following roll call vote:

AYES: Councilmembers: Lund, Yorde, Hill, Storey, Magnuson

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ABSTAIN: Councilmembers: None

George Magnuson, Mayor

ATTEST:

Barbara Ivanusich, City Clerk

EXHIBIT A

THE THIRD AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ROCKLIN AND THE ROCKLIN POLICE OFFICERS' ASSOCIATION (Originally Approved by Resolution No. 2002-223/June 25, 2002, As Amended by Resolution No. 2004-40/February 24, 2004 and As Amended by Resolution No. 2006-41/January 24, 2006)

This Third Amendment to the Memorandum of Understanding is entered into this 11th day of July, 2006, by and between the City of Rocklin (the "City") and the Rocklin Police Officers' Association (the "RPOA").

Recitals

1. City and RPOA (collectively, "Parties") have previously entered into a Memorandum of Understanding (the "MOU"), approved by the City Council by Resolution No. 2002-223, on June 25, 2002, as amended by Resolution No. 2004-40, on February 24, 2004, and as further amended by Resolution No. 2006-41, on January 24, 2006, and by this reference incorporated herein. The effective date of the MOU is February 1, 2002.
2. The Parties have determined that it is reasonable and appropriate to make certain changes in the form of a Third Amendment to the MOU ("Amendment").

Agreement

Now, therefore the Parties agree to amend the MOU to incorporate the changes and additions set forth below. Except as amended by this Amendment, the provisions of the MOU remain in full force and effect. Except as otherwise specified, capitalized terms contained in this Amendment shall have the same meaning as those contained in the MOU.

Section II- Article 15. The second paragraph of Article 15.3.1 is amended to read as follows:

"The Short-Notice Call-Out List shall be maintained in order of seniority. Seniority will be determined by the length of service in current classification. Continuous service means the employee's continuous service since the date of appointment to the classification without break or interruption. In the event of a tie, total City seniority, date of application and choice by lot shall be used in that order to break the tie."

Section V- Article 44. Article 44.5.2 is amended to read as follows:

“Seniority is determined by the length of continuous service in current classification. Continuous service means the employee’s continuous service since the date of appointment to the classification without break or interruption. In the event of a tie, total City seniority, date of application and choice by lot shall be used in that order to break a tie.”

Section V- Article 49. The last sentence of Article 44.9 is amended to read as follows:

“In the event of a tie in seniority, total City seniority, date of application, and choice by lot shall be used in that order to break a tie.”

IN WITNESS WHEREOF, this Third Amendment to the MOU has been executed by the Parties hereto on the day and year first above written.

City of Rocklin

Rocklin Police Officers’ Association

Carlos Urrutia, City Manager

Bart Paduveris, President